

REMARKS

This Amendment is being filed in response to the Final Office Action mailed June 2, 2008, which has been reviewed and carefully considered. Claims 1-13 are currently pending in the application. No new matter or issues are believed to be introduced by this amendment. In view of the remarks to follow, reconsideration and allowance of this application are respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claim 1-3 and 6-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0091186 - to Fontijn in view of U.S. Patent No. 7,111,169 - to Ripley. The Applicants respectfully traverse the rejections.

A. Claims 1-3 and 6-7

None of the cited references, including Fontijn and Ripley, individually or in combination, disclose or suggest the specific combination of claim 1. For example, Fontijn does not disclose or suggest “wherein said management information (M) comprises an encryption indication information (M1) comprising **a single bit** associated with each of said sectors (S), **each bit indicating to a read-out device** whether the user data stored in the associated sector (S) are to be encrypted by the read-out device (2) before being transmitted over a communication bus (6) “, as recited in claim 1 (Emphasis

Added). As admitted in the Office Action at paragraph 13, Fontijn does not teach wherein said management information comprises an encryption indication flag indicating to a read out device that the user data stored in the associated sector are to be encrypted by a read-out device before being transmitted over a communication bus.

Ripley does not disclose or suggest “wherein said management information (M) comprises an encryption indication information (M1) comprising **a single bit** associated with each of said sectors (S), **each bit indicating to a read-out device** whether the user data stored in the associated sector (S) are to be encrypted by the read-out device (2) before being transmitted over a communication bus (6) “, as recited in claim 1 (Emphasis Added). In contrast to claim 1, the cited portions of Ripley disclose storing a media key on the storage medium, the media key serving to encrypt content at the source device before transmission to the destination device. See Ripley at column 5, lines 40-44 and 50-52. It is respectfully submitted that **storing a media key** on the storage medium, as taught in Ripley, is different than encryption information comprising a single bit associated with each of said sectors (S), each bit indicating to a read-out device whether the user data stored in the associated sector (S) are to be encrypted by the read-out device (2) before being transmitted over a communication bus (6). Authorized players or recorders are issued software-implemented device keys from a matrix of device keys, known in the art as a media key block (MKB). The MKB allows compliant devices to calculate a proper media key while preventing circumvention devices from doing the same thing. A player performs a series of mathematical transformations on a media key

block's logically ordered rows and columns of data with the player's device key. The device keys are used to decrypt one or more elements of a Media Key Block (MKB). Thus, Ripley does not disclose the specific combination of claim 1.

Further, the MKB taught in Ripley serves a different purpose than the encryption information of the invention. Specifically, the MKB is used in Ripley to **determine whether the source device 402 and/or destination device 404 are legitimate**. See Ripley at Col. 5, lines 44 – 46. It is noted that the purpose of the MKB of Ripley is analogous to well-known methods and processes of symmetric key cryptography. As is well known, symmetric key cryptography is a well known encryption system in which the sender and receiver of a message share a single, common key that is used to encrypt and decrypt the message.

Therefore, neither Fontijn nor Ripley, individually or in combination disclose or suggest “wherein said management information (M) comprises an encryption indication information (M1) comprising **a single bit** associated with each of said sectors (S), **each bit indicating to a read-out device** whether the user data stored in the associated sector (S) are to be encrypted by the read-out device (2) before being transmitted over a communication bus (6) “, as recited in claim 1 (Emphasis Added). Hence, claim 1 is allowable.

Claims 2-3 and 6-7 depend from claim 1, which Applicant has shown to be allowable. Thus, claims 2-3 and 6-7 are allowable, at least by their dependency from claim 1.

B. Claims 8-13

Independent Claims 8-11 and 13 recite similar subject matter as Claim 1 and therefore contain the limitations of Claim 1. Hence, for at least the same reasons given for Claim 1, Claims 8-11 and 13 are believed to be allowable over Fontaijn and Ripley in any reasonable combination. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) and allowance of Claims 8-11 and 13 is respectfully requested.

Claim 12 depends from claim 11, which Applicant has shown to be allowable. Thus, claim 12 is allowable, at least by their dependency from claim 11.

C. Claim 4

In the Office Action, Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fontaijn in view of U.S. Patent No. 6,378,072 – Collins.

Claim 4 depends from Claim 1 and therefore includes the limitations of Claim 1. Accordingly, for the same reasons given above for Claim 1, Claim 4 is believed to contain patentable subject matter. Accordingly, withdrawal of the rejections with respect to Claim 4 is respectfully requested.

D. Claim 5

In the Office Action, Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fontaijn in view of U.S. Patent Application No. 2003/0159037 – Taki et al.

Claim 5 depends from Claim 1 and therefore includes the limitations of Claim 1. Accordingly, for the same reasons given above for Claim 1, Claim 5 is believed to contain patentable subject matter. Accordingly, withdrawal of the rejections with respect to Claim 5 is respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-13 are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Mr. Michael Belk, Esq. Intellectual Property Counsel, Philips Electronics North America, at 914-333-9643.

Respectfully submitted,



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